

IN THE CLAIMS

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Please amend the claims as follows.

1. (Currently Amended) A composition for delivering a biologically active agent, comprising: a low viscosity an emulsion of a biologically active mixture and a controlled release formulation, the biologically active mixture ~~comprising~~ consisting essentially of the biologically active agent and a pharmaceutically acceptable, aqueous medium as a protective carrier; and the controlled release formulation comprising a pharmaceutically acceptable, biodegradable thermoplastic polymer that is substantially insoluble in an aqueous or body fluid and a pharmaceutically acceptable organic solvent having a water solubility of from about 2 percent to about 20 percent by weight relative to a weight of a combination of organic solvent and water, and wherein the concentration of polymer in organic solvent ranges from about 0.5 gm per ml to about 3 gm per ml and the composition is used to form an *in situ* solid implant.
2. (Previously Presented) A precomposition suitable for preparing a composition according to claim 1, comprising separate containers of the biologically active mixture and controlled release formulation, which containers are adapted to cause combination of the biologically active mixture and controlled release formulation.
3. (Previously Presented) A composition of claim 1, wherein the biologically active agent is selected from the group consisting of an antiinflammatory agent, an antibacterial agent, an antifungal agent, an analgesic agent, an anesthetic agent, an immunogen, a vaccine, an antineoplastic agent, a growth or survival agent, a hormone, a cardiovascular agent, an anti-ulcer agent, a bronchial agent, a central nervous system agent, a gene, a gene fragment, an insertion vector carrying a gene or gene fragment, and any combination or multiple thereof.

Claims 4-13 (Canceled).

14. (Previously Presented) A composition of claim 1 wherein the thermoplastic polymer formula contains monomeric units selected from the group consisting of lactide, glycolide,